

[DISCUSSION DRAFT]

117TH CONGRESS
2D SESSION

H. R. _____

To require qualifying smoke detectors in certain federally assisted housing,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. DEAN introduced the following bill; which was referred to the Committee
on _____

A BILL

To require qualifying smoke detectors in certain federally
assisted housing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “_____”
5 Act of 2022”.

6 **SEC. 2. SMOKE DETECTORS IN FEDERALLY ASSISTED**
7 **HOUSING.**

8 (a) PUBLIC HOUSING, TENANT-BASED ASSISTANCE,
9 AND PROJECT-BASED ASSISTANCE.—The United States

1 Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amend-
2 ed—

3 (1) in section 3(a) (42 U.S.C. 1437a(a)), by
4 adding at the end the following:

5 “(9) QUALIFYING SMOKE DETECTORS.—

6 “(A) IN GENERAL.—Each public housing
7 agency shall ensure that a qualifying smoke de-
8 tector is installed in accordance with the re-
9 quirements of the National Fire Protection As-
10 sociation Standard 72 or any successor stand-
11 ard in each level and in or near each sleeping
12 area in any dwelling unit in public housing
13 owned or operated by the public housing agen-
14 cy, including in basements but excepting crawl
15 spaces and unfinished attics, and in each com-
16 mon area in a project containing such a dwell-
17 ing unit.

18 “(B) DEFINITIONS.—For purposes of this
19 paragraph, the following definitions shall apply:

20 “(i) SMOKE DETECTOR DEFINED.—

21 The term ‘smoke detector’ has the mean-
22 ing given such term in section 29(d) of the
23 Federal Fire Prevention and Control Act
24 of 1974 (15 U.S.C. 2225(d)).

1 “(ii) QUALIFYING SMOKE DETECTOR
2 DEFINED.—The term ‘qualifying smoke de-
3 tector’ means a smoke detector that—

4 “(I) in the case of a dwelling unit
5 built before the date of the enactment
6 of this paragraph and not substan-
7 tially rehabilitated after the date of
8 this paragraph is—

9 “(aa) hardwired; or

10 “(bb) uses 10-year lithium
11 batteries; and—

12 “(AA) is sealed

13 “(BB) is tamper resist-
14 ant;

15 “(CC) contains hush
16 features; and

17 “(DD) has an alarm
18 system designed for hearing-
19 impaired persons as speci-
20 fied in National Fire Protec-
21 tion Association Standard
22 72 or any successor stand-
23 ard; or

24 “(II) in the case of a dwelling
25 unit built or substantially rehabili-

1 tated after the date of the enactment
2 of this paragraph, is hardwired.”; and

3 (2) in section 8 (42 U.S.C. 1437f)—

4 (A) by inserting after subsection (k) the
5 following:

6 “(1) QUALIFYING SMOKE DETECTORS.—

7 “(1) IN GENERAL.—Each owner of a dwelling
8 unit receiving project-based assistance under this
9 section shall ensure that qualifying smoke detectors
10 are installed in accordance with the requirements of
11 the National Fire Protection Association Standard
12 72 or any successor standard in each level and in or
13 near each sleeping area in such dwelling unit, in-
14 cluding in basements but excepting crawl spaces and
15 unfinished attics, and in each common area in a
16 project containing such a dwelling unit.

17 “(2) DEFINITIONS.—For purposes of this sub-
18 section, the following definitions shall apply:

19 “(A) SMOKE DETECTOR DEFINED.—The
20 term ‘smoke detector’ has the meaning given
21 such term in section 29(d) of the Federal Fire
22 Prevention and Control Act of 1974 (15 U.S.C.
23 2225(d)).

1 “(B) QUALIFYING SMOKE DETECTOR DE-
2 FINED.—The term ‘qualifying smoke detector’
3 means a smoke detector that—

4 “(i) in the case of a dwelling unit
5 built before the date of the enactment of
6 this paragraph and not substantially reha-
7 bilitated after the date of this paragraph
8 is—

9 “(I) hardwired; or

10 “(II) uses 10-year lithium bat-
11 teries; and—

12 “(aa) is sealed

13 “(bb) is tamper resistant;

14 “(cc) contains hush features;

15 and

16 “(dd) has an alarm system
17 designed for hearing-impaired
18 persons as specified in National
19 Fire Protection Association
20 Standard 72 or any successor
21 standard; or

22 “(ii) in the case of a dwelling unit
23 built or substantially rehabilitated after the
24 date of the enactment of this paragraph, is
25 hardwired.”; and

1 (B) in subsection (o), by adding at the end
2 the following:

3 “(22) QUALIFYING SMOKE DETECTORS.—

4 “(A) IN GENERAL.—Each dwelling unit re-
5 ceiving tenant-based assistance or project-based
6 assistance under this subsection shall have a
7 qualifying smoke detector installed in accord-
8 ance with the requirements of the National Fire
9 Protection Association Standard 72 or any suc-
10 cessor standard in each level and in or near
11 each sleeping area in such dwelling unit, includ-
12 ing in basements but excepting crawl spaces
13 and unfinished attics, and in each common area
14 in a project containing such a dwelling unit.

15 “(B) DEFINITIONS.—For purposes of this
16 paragraph, the following definitions shall apply:

17 “(i) SMOKE DETECTOR DEFINED.—
18 The term ‘smoke detector’ has the mean-
19 ing given such term in section 29(d) of the
20 Federal Fire Prevention and Control Act
21 of 1974 (15 U.S.C. 2225(d)).

22 “(ii) QUALIFYING SMOKE DETECTOR
23 DEFINED.—The term ‘qualifying smoke de-
24 tector’ means a smoke detector that—

1 “(I) in the case of a dwelling unit
2 built before the date of the enactment
3 of this paragraph and not substan-
4 tially rehabilitated after the date of
5 this paragraph is—

6 “(aa) hardwired; or

7 “(bb) uses 10-year lithium
8 batteries; and—

9 “(AA) is sealed

10 “(BB) is tamper resist-
11 ant;

12 “(CC) contains hush
13 features; and

14 “(DD) has an alarm
15 system designed for hearing-
16 impaired persons as speci-
17 fied in National Fire Protec-
18 tion Association Standard
19 72 or any successor stand-
20 ard; or

21 “(II) in the case of a dwelling
22 unit built or substantially rehabili-
23 tated after the date of the enactment
24 of this paragraph, is hardwired.”.

1 (b) SUPPORTIVE HOUSING FOR THE ELDERLY.—
2 Section 202(j) of the Housing Act of 1959 (12 U.S.C.
3 1701q(j)) is amended by adding at the end the following:

4 “(10) QUALIFYING SMOKE DETECTORS.—

5 “(A) IN GENERAL.—Each owner of a
6 dwelling unit assisted under this section shall
7 ensure that qualifying smoke detectors are in-
8 stalled in accordance with the requirements of
9 the National Fire Protection Association Stand-
10 ard 72 or any successor standard in each level
11 and in or near each sleeping area in such dwell-
12 ing unit, including in basements but excepting
13 crawl spaces and unfinished attics, and in each
14 common area in a project containing such a
15 dwelling unit.

16 “(B) DEFINITIONS.—For purposes of this
17 paragraph, the following definitions shall apply:

18 “(i) SMOKE DETECTOR DEFINED.—

19 The term ‘smoke detector’ has the mean-
20 ing given such term in section 29(d) of the
21 Federal Fire Prevention and Control Act
22 of 1974 (15 U.S.C. 2225(d)).

23 “(ii) QUALIFYING SMOKE DETECTOR
24 DEFINED.—The term ‘qualifying smoke de-
25 tector’ means a smoke detector that—

1 “(I) in the case of a dwelling unit
2 built before the date of the enactment
3 of this paragraph and not substan-
4 tially rehabilitated after the date of
5 this paragraph is—

6 “(aa) hardwired; or

7 “(bb) uses 10-year lithium
8 batteries; and—

9 “(AA) is sealed

10 “(BB) is tamper resist-
11 ant;

12 “(CC) contains hush
13 features; and

14 “(DD) has an alarm
15 system designed for hearing-
16 impaired persons as speci-
17 fied in National Fire Protec-
18 tion Association Standard
19 72 or any successor stand-
20 ard; or

21 “(II) in the case of a dwelling
22 unit built or substantially rehabili-
23 tated after the date of the enactment
24 of this paragraph, is hardwired.”.

1 (c) SUPPORTIVE HOUSING FOR PERSONS WITH DIS-
2 ABILITIES.—Section 811(j) of the Cranston-Gonzalez Na-
3 tional Affordable Housing Act (42 U.S.C. 8013(j)) is
4 amended by adding at the end the following:

5 “(8) QUALIFYING SMOKE DETECTORS.—

6 “(A) IN GENERAL.—Each dwelling unit as-
7 sisted under this section shall contain qualifying
8 smoke detectors that are installed in accordance
9 with the requirements of the National Fire Pro-
10 tection Association Standard 72 or any suc-
11 cessor standard in each level and in or near
12 each sleeping area in such dwelling unit, includ-
13 ing in basements but excepting crawl spaces
14 and unfinished attics, and in each common area
15 in a project containing such a dwelling unit.

16 “(B) DEFINITIONS.—For purposes of this
17 paragraph, the following definitions shall apply:

18 “(i) SMOKE DETECTOR DEFINED.—
19 The term ‘smoke detector’ has the mean-
20 ing given such term in section 29(d) of the
21 Federal Fire Prevention and Control Act
22 of 1974 (15 U.S.C. 2225(d)).

23 “(ii) QUALIFYING SMOKE DETECTOR
24 DEFINED.—The term ‘qualifying smoke de-
25 tector’ means a smoke detector that—

1 “(I) in the case of a dwelling unit
2 built before the date of the enactment
3 of this paragraph and not substan-
4 tially rehabilitated after the date of
5 this paragraph is—

6 “(aa) hardwired; or

7 “(bb) uses 10-year lithium
8 batteries; and—

9 “(AA) is sealed

10 “(BB) is tamper resist-
11 ant;

12 “(CC) contains hush
13 features; and

14 “(DD) has an alarm
15 system designed for hearing-
16 impaired persons as speci-
17 fied in National Fire Protec-
18 tion Association Standard
19 72 or any successor stand-
20 ard; or

21 “(II) in the case of a dwelling
22 unit built or substantially rehabili-
23 tated after the date of the enactment
24 of this paragraph, is hardwired.”.

1 (d) HOUSING OPPORTUNITIES FOR PERSONS WITH
2 AIDS.—Section 856 of the Cranston-Gonzalez National
3 Affordable Housing Act (42 U.S.C. 12905) is amended by
4 adding at the end the following new subsection:

5 “(i) QUALIFYING SMOKE DETECTORS.—

6 “(1) IN GENERAL.—Each dwelling unit assisted
7 under this subtitle shall contain qualifying smoke de-
8 tectors that are installed in accordance with the re-
9 quirements of the National Fire Protection Associa-
10 tion Standard 72 or any successor standard in each
11 level and in or near each sleeping area in such dwell-
12 ing unit,including in basements but excepting crawl
13 spaces and unfinished attics, and in each common
14 area in a project containing such a dwelling unit.

15 “(2) DEFINITIONS.—For purposes of this sub-
16 section, the following definitions shall apply:

17 “(A) SMOKE DETECTOR DEFINED.—The
18 term ‘smoke detector’ has the meaning given
19 such term in section 29(d) of the Federal Fire
20 Prevention and Control Act of 1974 (15 U.S.C.
21 2225(d)).

22 “(B) QUALIFYING SMOKE DETECTOR DE-
23 FINED.—The term ‘qualifying smoke detector’
24 means a smoke detector that—

1 “(i) in the case of a dwelling unit
2 built before the date of the enactment of
3 this paragraph and not substantially reha-
4 bilitated after the date of this paragraph
5 is—

6 “(I) hardwired; or

7 “(II) uses 10-year lithium bat-
8 teries; and—

9 “(aa) is sealed

10 “(bb) is tamper resistant;

11 “(cc) contains hush features;

12 and

13 “(dd) has an alarm system
14 designed for hearing-impaired
15 persons as specified in National
16 Fire Protection Association
17 Standard 72 or any successor
18 standard; or

19 “(ii) in the case of a dwelling unit
20 built or substantially rehabilitated after the
21 date of the enactment of this paragraph, is
22 hardwired.”.

23 (e) RURAL HOUSING.—Title V of the Housing Act
24 of 1949 (42 U.S.C. 1471 et seq.) is amended—

1 (1) in section 514 (42 U.S.C. 1484), by adding
2 at the end the following:

3 “(j) QUALIFYING SMOKE DETECTORS.—

4 “(1) IN GENERAL.—Housing and related facili-
5 ties constructed with loans under this section shall
6 contain qualifying smoke detectors that are installed
7 in accordance with the requirements of the National
8 Fire Protection Association Standard 72 or any suc-
9 cessor standard in each level and in or near each
10 sleeping area in such dwelling unit, including in
11 basements but excepting crawl spaces and unfinished
12 attics, and in each common area in a project con-
13 taining such a dwelling unit.

14 “(2) DEFINITIONS.—For purposes of this sub-
15 section, the following definitions shall apply:

16 “(A) SMOKE DETECTOR DEFINED.—The
17 term ‘smoke detector’ has the meaning given
18 such term in section 29(d) of the Federal Fire
19 Prevention and Control Act of 1974 (15 U.S.C.
20 2225(d)).

21 “(B) QUALIFYING SMOKE DETECTOR DE-
22 FINED.—The term ‘qualifying smoke detector’
23 means a smoke detector that—

24 “(i) in the case of a dwelling unit
25 built before the date of the enactment of

1 this paragraph and not substantially reha-
2 bilitated after the date of this paragraph
3 is—

4 “(I) hardwired; or

5 “(II) uses 10-year lithium bat-
6 teries; and—

7 “(aa) is sealed

8 “(bb) is tamper resistant;

9 “(cc) contains hush features;

10 and

11 “(dd) has an alarm system
12 designed for hearing-impaired
13 persons as specified in National
14 Fire Protection Association
15 Standard 72 or any successor
16 standard; or

17 “(ii) in the case of a dwelling unit
18 built or substantially rehabilitated after the
19 date of the enactment of this paragraph, is
20 hardwired.”; and

21 (2) in section 515(m) (42 U.S.C. 1485(m)) by
22 adding at the end the following:

23 “(3) QUALIFYING SMOKE DETECTORS.—

24 “(A) IN GENERAL.—Housing and related
25 facilities rehabilitated or repaired with amounts

1 received under a loan made or insured under
2 this section shall contain qualifying smoke de-
3 tectors that are installed in accordance with the
4 requirements of the National Fire Protection
5 Association Standard 72 or any successor
6 standard in each level and in or near each
7 sleeping area in such dwelling unit, including in
8 basements but excepting crawl spaces and un-
9 finished attics, and in each common area in a
10 project containing such a dwelling unit.

11 “(B) DEFINITIONS.—For purposes of this
12 paragraph, the following definitions shall apply:

13 “(i) SMOKE DETECTOR DEFINED.—
14 The term ‘smoke detector’ has the mean-
15 ing given such term in section 29(d) of the
16 Federal Fire Prevention and Control Act
17 of 1974 (15 U.S.C. 2225(d)).

18 “(ii) QUALIFYING SMOKE DETECTOR
19 DEFINED.—The term ‘qualifying smoke de-
20 tector’ means a smoke detector that—

21 “(I) in the case of a dwelling unit
22 built before the date of the enactment
23 of this paragraph and not substan-
24 tially rehabilitated after the date of
25 this paragraph is—

1 “(aa) hardwired; or
2 “(bb) uses 10-year lithium
3 batteries; and—
4 “(AA) is sealed
5 “(BB) is tamper resist-
6 ant;
7 “(CC) contains hush
8 features; and
9 “(DD) has an alarm
10 system designed for hearing-
11 impaired persons as speci-
12 fied in National Fire Protec-
13 tion Association Standard
14 72 or any successor stand-
15 ard; or
16 “(II) in the case of a dwelling
17 unit built or substantially rehabili-
18 tated after the date of the enactment
19 of this paragraph, is hardwired.”.

20 (f) FARM LABOR HOUSING DIRECT LOANS &
21 GRANTS.—Section 516 of the Housing Act of 1949 (42
22 U.S.C. 1486) is amended—

23 (1) in subsection (c)—

24 (A) in paragraph (2), by striking “and” at
25 the end;

1 (B) in paragraph (3), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(4) that such housing shall contain qualifying
5 smoke detectors that are installed in accordance with
6 the requirements of the National Fire Protection As-
7 sociation Standard 72 or any successor standard in
8 each level and in or near each sleeping area in such
9 dwelling unit, including in basements but excepting
10 crawl spaces and unfinished attics, and in each com-
11 mon area in a project containing such a dwelling
12 unit.”; and

13 (2) in subsection (g)—

14 (A) in paragraph (3) by striking “and” at
15 the end;

16 (B) in paragraph (4), by striking the pe-
17 riod at the end and inserting a semicolon; and

18 (C) by adding at the end the following:

19 “(4) the term ‘smoke detector’ has the meaning
20 given such term in section 29(d) of the Federal Fire
21 Prevention and Control Act of 1974 (15 U.S.C.
22 2225(d)); and

23 “(5) the term ‘qualifying smoke detector’ means
24 a smoke detector that—

1 “(A) in the case of a dwelling unit built be-
2 fore the date of the enactment of this para-
3 graph and not substantially rehabilitated after
4 the date of this paragraph is—

5 “(i) hardwired; or
6 “(ii) uses 10-year lithium batteries;
7 and—

8 “(I) is sealed
9 “(II) is tamper resistant;
10 “(III) contains hush features;
11 and

12 “(IV) has an alarm system de-
13 signed for hearing-impaired persons
14 as specified in National Fire Protec-
15 tion Association Standard 72 or any
16 successor standard; or

17 “(B) in the case of a dwelling unit built or
18 substantially rehabilitated after the date of the
19 enactment of this paragraph, is hardwired.”.

20 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to carry out the amend-
22 ments made by this section such sums as are necessary
23 for each of fiscal years 2022 through 2026.

1 (h) EFFECTIVE DATE.—The amendments made by
2 subsections (a) through (f) shall take effect on the date
3 that is 2 years after the date of enactment of this Act.

4 (i) NO PREEMPTION.—Nothing in the amendments
5 made by this section shall be construed to preempt or limit
6 the applicability of any State or local law relating to the
7 installation and maintenance of smoke detectors in hous-
8 ing that requires standards that are more stringent than
9 the standards described in the amendments made by this
10 section.

11 **SEC. 3. FIRE SAFETY EDUCATIONAL PROGRAM.**

12 (a) IN GENERAL.—The Secretary of Housing and
13 Urban Development shall, not later than 1 year after the
14 date of the enactment of this Act, complete a national edu-
15 cational campaign that educates the general public about
16 health and safety requirements in housing and how to
17 properly use safety features in housing including, self-clos-
18 ing doors, smoke detectors, and carbon monoxide detec-
19 tors.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to the Secretary of Housing
22 and Urban Development to carry out this subsection,
23 \$2,000,000 for fiscal year 2023.